

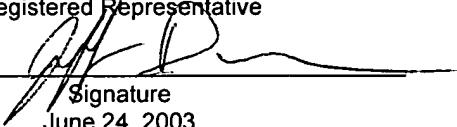
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Mail Stop Non-Fee Amendment  
Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450, on:  
June 24, 2003

Date of Deposit

Jeffery M. Duncan

Name of applicant, assignee or  
Registered Representative

  
Signature  
June 24, 2003

Date of Signature

*the election 1B*  
Case No. 9793/95

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Elsenhans, Oliver et al.

Serial No: 10/018,080

Examiner: Sang H. Nguyen

Filed: December 10, 2001

Group Art Unit: 2877

For: Method and Apparatus for  
Examining Fluids of Biological  
Origin

### Response to Restriction Requirement

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed May 5, 2003, setting a period to reply of 3 months.

Restriction Requirement: The Office Action sets forth a requirement for restriction between Group I, Claims 18 - 43, drawn to a method for measuring the

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concentration of at least one component of a liquid biological sample before analysis of said sample by an in vitro diagnostic method; Group II, claim 44, drawn to an apparatus for measuring the concentration of at least one component of a liquid biological sample before analysis of said sample by an in vitro diagnostic method; Group III, Claims 45 -46, drawn to a photometric probe for measuring the concentration of at least one component of a liquid biological sample before analysis of said sample by an in vitro diagnostic method; and Group IV, claims 47 - 50, drawn to an analyzer with an apparatus for photometric measurements.

Applicants elect to prosecute Group I, Claims 18 - 43, drawn to a method for measuring the concentration of at least one component of a liquid biological sample before analysis of said sample by an in vitro diagnostic method. Please cancel unelected claims 44 - 50.

If, for any reason, the Examiner feels that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorney at (312) 321-4235.

Respectfully submitted,



\_\_\_\_\_  
Jeffery M. Duncan  
Registration No. 31,609  
Attorney for Applicant

Dated:June 24, 2003

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312) 321-4200



2877

TRANSMITTAL LETTER			Case No. 9793/95
Serial No. 10/18,080	Filing Date December 10, 2001	Examiner Sang H. Nguyen	Group Art Unit 2877
Inventor(s) Oliver Elsenhans, et al.			
Title of Invention Method And Apparatus For Examining Fluids Of Biological Origin			

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Response to Restriction Requirement, Postcard Receipt.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- Applicant claims small entity status. See 37 CFR 1.27.
- Petition for a \_\_\_\_\_ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 42 =	
+ \$140 =	
Total add'l fee	\$

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Other Than Small Entity

Rate	Add'l Fee
x \$18 =	
x \$84 =	
+ \$280 =	
Total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Jeffery M. Duncan  
Registration No. 31,609  
Attorney for Applicant  
Customer No. 00757 - Brinks Hofer Gilson Lione

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Date: June 24, 2003

Signature: